

LIQUOR ADVISORY BOARD
Tuesday, September 18, 2012
6:30 P.M. – City Council Chambers
Rockford City Hall, 425 East State Street

Present:

LAB Members:

Aaron Magdziarz
Dennis Olson
Julio Salgado
Scott Sanders
Craig Sockwell

Absent:

Alicia Neubauer
Dan Roszkowski

Staff:

Jennifer Cacciapaglia – City Attorney
Todd Cagnoni – Deputy Director, Construction & Development Services
Matt Knott – Fire Department
Marcy Leach – Public Works
Sandra Hawthorne - Administrative Assistant

Others:

Kathy Berg, Stenographer
Applicants and Interested Parties

Sandra Hawthorne explained the format of the meeting will follow the Boards Rules of Procedure generally outlined as:

The Chairman will call the address of the application.

- The Applicant or representative are to come forward and be sworn in.
- The Applicant or representative will present their request before the Board
- The Board will ask any questions they may have regarding this application.
- The Chairman will then ask if there are any Objectors or Interested Parties. Objectors or Interested Parties are to come forward at that time, be sworn in by the Chairman, and give their name and address to the Zoning Board of Appeals secretary and the stenographer
- The Objector or Interested Party will present all their concerns, objections and questions to the Applicant regarding the application.
- The Board will ask any questions they may have of the Objector or Interested Party.
- The Applicant will have an opportunity to rebut the concerns/questions of the Objector or Interested Party
- No further discussion from the Objector or Interested Party will occur after the rebuttal of the Applicant.
- The Board will then discuss the application and a vote will be taken.

It was further explained to the public in attendance, applicants, objectors and interested parties that this meeting is not a final vote on any item. The date of the Codes & Regulations meeting was given as Monday, October 1 2012, at 4:45 PM in Conference Room A of this building as the second vote on these items. The public in attendance, applicants, objectors and interested parties were instructed that they could contact the Zoning Office for any further information and the phone number was listed on the top of the agenda which was made available to all those in attendance. The City's web site for minutes of this meeting are listed on the agenda as well.

The meeting was called to order at 6:00 PM. A **MOTION** was made by Craig Sockwell to **APPROVE** the minutes of the July meeting as submitted. The Motion was **SECONDED** by Dennis Olson and **CARRIED** by a vote of 4-0 with Aaron Magdziarz abstaining and Alicia Neubauer and Dan Roszkowski absent.

012-LAB-009

Applicant
Ward 5

519 Marchesano

Pedro Silva d/b/a Guanajyato, Supermercado

The sale of packaged liquor in conjunction with a grocery store and the sale of liquor by the drink in conjunction with a restaurant in a C-3, Commercial General District.

Laid Over from April, May, June, July, August and September meetings

The subject property is approximately 2.59 acres in size on the north side of Marchesano Drive and east of West State. This application has been laid over (5) times due to lack of sufficient information on the part of the Applicant.

Attorney John Nelson reviewed the application. The Applicant was present but was not required to participate in the presentation since he had spoken at past meetings. Mr. Cagnoni stated Staff is now comfortable with the proposal at this time and confident that they and the Applicant can come to an agreement on the landscaping plan. Sufficient information has been received since the zoning report was prepared to allow a comfort level in recommending approval subject to (4) conditions as stated by Staff at the meeting. It was further explained to the Board that since this item had already had a public hearing with presentation by the applicant, it was at the discretion of the Board if they wished to ask for Interested Parties or Objectors. The Board was open to discussion by interested parties or objectors; Interested Parties were present.

Anita Casazza-Bolton, 412 Market (La Voz Latina), spoke in support of the Applicants project. A letter was also submitted and is on file. Ms. Casazza-Bolton stated La Voz Latina and the Applicants have worked together on projects and events held by La Voz Latina she encouraged approval of this application. She stated it is important to support the Applicant's business because they have done much for the community.

Sandra Berumen, representing Rockford Area Mexican Business Association, 1513 Broadway, also spoke in support of the Applicants and submitted a letter as well. She felt they have proven to be an important part of the Spanish community and have also joined in helping their various associations and events. Ms. Berumen feels they should be allowed to have the same consideration as other places have and encouraged the City to work with the Applicants to approve their request.

Tuffy Quinonez, 2003 16th Avenue, was present and also spoke on behalf of the Applicant. Mr. Quinonez stated he has known the applicant for 7 years and they have run a good business. He stated the Applicant's business is needed on this side of the city and requested the Board support their request.

A **MOTION** was made by Aaron Magdziarz to **APPROVE** the sale of packaged liquor in conjunction with a grocery store and the sale of liquor by the drink in conjunction with a restaurant in the name of Pedro Silva d/b/a Guanajyato, Supermercado in a C-3, Commercial General District at 519 Marchesano with conditions as stated by Staff. The Motion was **SECONDED** by Craig Sockwell and **CARRIED** by a vote of 5-0.

Approval is subject to the following conditions:

1. That the property operate in conformance with the submitted business plan
2. That the sale of liquor shall be limited to 9:00 a.m. to 8:00 p.m.
3. That window signs and temporary signs conform with the sign regulations

4. That a landscape plan be submitted for Staff review and approval and required landscape is installed prior to issuance of liquor license.

012-LAB-028

Applicant
Ward 10

3307 Charles Street

Narendra Patel d/b/a Lions Quick Mart
The sale of package beer and wine in conjunction with a gas station in an R-1,
Single-family Residential District

The subject property is located on the southeast corner of Charles Street and 29th Street and is currently a vacant gas station. Mr. Patel is a new property owner who would like to reopen the gas station and offer package liquor sales. Narendra Patel, Applicant presented his request. He stated he is requesting the sale of packaged beer and wine.

Neither Attorney Cacciapaglia nor the Board had any questions of the Applicant.

Staff Recommendation is for Approval with 5 conditions. No Objectors or Interested Parties were present.

A **MOTION** was made by Craig Sockwell to **APPROVE** the sale of packaged beer and wine in conjunction with a gas station in the name of Narendra Patel d/b/a Lions Quick Mart in an R-1, Single-family Residential District at 3307 Charles Street. The Motion was **SECONDED** by Aaron Magdziarz and **CARRIED** by a vote of 5-0.

Approval is subject to the following conditions:

1. Must meet all applicable building, fire and liquor codes.
2. The sale of liquor is limited to beer and wine only and limited to the floor area as shown on Exhibit E.
3. Hours are limited to Monday-Saturday 6:00 a.m. to 11:00 p.m. and Sunday 9:00 a.m. to 9:00 p.m.
4. Inside signage cannot exceed more than 35% of the window surface.
5. The sale of rose tubes, airplane-sized bottles and any other products that can be deemed to be easily manufactured into crack pipes is prohibited.

With no further business to come before the Commission, the meeting was adjourned at 6:21 PM.

Respectfully submitted,
Sandra A. Hawthorne, Administrative Assistant
Liquor Advisory Board